IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 16345 of 2007(U)

PETITIONER:

V.VIJAYAN, S/O.SUKUMARAN, AGED 41 YEARS,
C/O ILLIKAL SURESH, CHERAPPARAMBU LANE,
KATHRIKADAVU ROAD, KALOOR, KOCHI-17.

BY ADV. SRI.A.X.VARGHESE
SRI.A.V.JOJO

RESPONDENTS:

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1. CITY POLICE COMMISSIONER, ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
NORTH POLICE STATION, KACHERIPADY, KOCHI.

3. SUB INSPECTOR OF POLICE,
NORTH KASBA POLICE STATION, KOCHI.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

W.P(C) NO. 16345 OF 2007 - U

Dated this the 11th day of June, 2007

J U D G M E N T

The petitioner's autorickshaw has been seized, which according to the petitioner, is because he did not accede to the illegal demands of the Police Constable who seized the same. The petitioner seeks the following reliefs:-

> "i) issue a writ of mandamus directing the respondents to release autorickshaw bearing No.K EE 986 from North Kasba Police Station, Ernakulam.
>
> ii) issue a writ of mandamus directing the respondents to pay a compensation of Rs.25,000/- under the public law remedy.
>
> iii) such other reliefs that this Hon'ble Court deems fit and proper."

2. The learned Government Pleader, on instructions, submits that if the owner of the vehicle presents himself with proof of ownership and records of the autorickshaw, the same would be released to the petitioner. This is recorded and

respondents 2 and 3 are directed to take appropriate steps in this regard as soon as the owner of the vehicle presents himself before the third respondent with the records of the vehicle. There would be a further direction to the first respondent to consider and dispose of Ext.P3 in accordance with law after hearing the petitioner. The petitioner shall make available a copy of this judgment as well as a copy of this writ petition to the first respondent for information and compliance.

S.SIRI JAGAN,
Judge

Mbs/